GOVERNMENT OF ANDHRA PRADESH

ABSRACT

Public Services–PR&RD Department– RWS&S - Allegations of misappropriation of Government funds in execution of "Neeru-Meeru" works taken up by DWMA in Chatrai Mandal of Krishna District - Sri D.V.S.Sarma, Assistant Engineer (Retd.)- O.A.No.2416/2013 filed before Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad, against the orders issued in G.O.Ms.No.202, PR&RD (Vig.II) Department, dated 05.02.2013 – Orders of Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad, dated 16.01.2017 in O.A.No.2416/2013 implemented –Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.VI) DEPARTMENT

G.O.RT.No. 479 Dated: 12-07-2017

Read the following:

1. G.O.Rt..No.202, PR&RD (Vig.II) Department, dt.05.02.2013.
2. O.A.No.2416 /2013 filed by Sri D.V.S.Sarma, Assistant Engineer (Retd.) before the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad.
3. Orders, Dated.16.01.2017 in O.A.No.2416/2013 of Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad

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ORDER:

In the reference 1st read above, Government imposed a penalty of 5% (Five percent) cut in pension permanently against Sri D.V.S.Sarma, Assistant Engineer, RWS (Retired), under Rule 9 of A.P. Revised Pension Rules, 1980 in respect of Allegations of misappropriation of Government funds in execution of "Neeru-Meeru" works taken up by DWMA in Chatrai Mandal of Krishna District.

2. Aggrieved by the above orders, Sri D.V.S.Sarma, Assistant Engineer, RWS (Retired) has filed O.A.No.2416/2013 before Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad.

3. The Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad in its Orders dated:16.01.2017 in O.A.No.2416/2013 has ordered that, "that in view of the discussion made therein, it is crystal clear that the unexplained/ abnormal/ enormous delay of about ten years in concluding the disciplinary proceedings that resulted in causing mental agony, vitiates the very disciplinary proceedings and the ultimate penalty imposed. Added to that, absolutely, there is no material for the 1st respondent to conclude that the charges are proved against applicant in the light of the enquiry report dt.16.11.2010 and the findings of the enquiry officer dt.27.08.2011 read with the representations of the 2nd respondent (Engineer-in-Chief,RWS) dt.03.08.2011 and 03.10.2011 respectively. Therefore, on the said two grounds, the impunged penalty of 5% cut in pension permanently is liable, to be quashed/ set aside. In view of the findings on the point, OA is allowed setting aside the impunged penalty of 5% cut in pension permanently against the applicant vide G.O.Rt.No.202, PR&RD(Vig.II) Dept., dt.05.02.2013 with a direction to release the entire pension and other retiral benefits if any".

4. Government, after careful examination of the matter and following due procedure, decided to implement the orders dated.16.01.2017 of Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad in O.A.No.2416/2013 i.e. to set aside the impunged penalty of 5% cut in pension permanently imposed against Sri D.V.S.Sarma, Assistant Engineer, RWS (Retired) vide G.O.Rt.No.202, PR&RD(Vig.II) Dept., dt.05.02.2013 and accordingly hereby issue orders to set aside the orders issued G.O.Rt.No.202, PR&RD(Vig.II) Dept., dt.05.02.2013.

(p.t.o)

5. The Engineer-in-Chief, RWS&S, Vijayawada is requested to take necessary action to release the entire pension and other benefits if any to the applicant.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri D.V.S.Sarma, Assistant Engineer, RWS (Retired) through the Engineer- in-Chief, RWS&S,Gollapudi, Viajayawada.
The Engineer-in-Chief, Rural Water Supply & Sanitation, Vasudha Shelters, Saipuram colony road, one centre, Gollapudi, Vijayawada
Copy to:
The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, A.P.Secretariat, Velagapudi.
The Accountant General, Andhra Pradesh, Hyderabad.
The Government Pleader, Panchayat Raj, APAT, Hyderabad for information.
SC/SF.

//FORWARDED::BY ORDER//

SECTION OFFICER